

REMARKS

The Office Action of April 13, 2005 has been reviewed and the Examiner's comments carefully considered. The present Amendment amends claims 1-3, 5, 10, 14-16, 18, 21 and 24 in accordance with the originally-filed specification. Claims 4, 6-9, 11-13 and 20 have been withdrawn in accordance with the election to the restriction filed January 26, 2005. New claims 26-28 have been added to the claims. No new matter has been added. Accordingly, claims 1-3, 5, 10, 14-19 and 21-28 are pending in this application, of which claims 1, 23 and 26 are in independent form.

Initially, the Examiner is thanked for indicating that the subject matter of claims 23, 24 and 25 define over the prior art of record and are allowed. Further, the Examiner is also thanked for indicating that the subject matter of claims 15-19, 21 and 22 define over the prior art of record. In particular, claims 15-19, 21 and 22 are objected to as being dependent upon a rejected base claim and would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

The Examiner is further thanked for acknowledging that Figs. 17 and 18 are different views of the same apparatus and belong to the same species. Also Examiner acknowledged that Figs. 19 and 20 are different views of the same apparatus and belong to the same species, as well as Figs. 25 and 26 being different views of the same apparatus and belonging to the same species.

The Examiner is also thanked for the telephone interview conducted on June 28, 2005 wherein the Examiner acknowledged Figs. 15, 16, rather than "fig. 15, 15" covered the elected Species III. Further, the Examiner acknowledged that the status of claims 6-9 is also considered constructively withdrawn. Accordingly, Applicants have canceled claims 6-9.

I. 35 U.S.C. § 112 Rejection

In the Office Action, the Examiner has rejected claim 1 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. With respect to the Examiner's rejection under § 112, second paragraph, claims 1-3, 5, 14-16, 18 and 21 have been amended to remove the language "-type" from these claims. Accordingly, based upon

the above amendments, Applicants respectfully request reconsideration and withdrawal of the § 112, second paragraph, rejection of claim 1.

II. 35. U.S.C. § 102 Rejections

Claims 1, 3 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,676,365 to Adam et al. (the “'365 patent”). In view of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and withdrawal of these rejections.

The '365 patent discloses an air track conveyor system for disk production. The body 401 of the air track 400 includes an air filter 404 and is divided into a top plenum 302 and a bottom plenum 402. *See* Figs. 4a –5d. The body 401 has a concave top surface 304 and air outlets 308. *See* col. 3, ll. 9-28.

In order to support a rejection under Section 102, each and every element of the claimed invention must be found within the four corners of a single document cited by the Examiner to anticipate. Hybritech Inc. v. Monoclonal Antibodies, Inc., 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986). Further, the elements of the claim must be arranged as required by the claim. In re Bond, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990).

The '365 patent fails to disclose each and every element of independent claim 1 as amended. More specifically, the '365 patent fails to disclose a porous member supported on the frame that is located close to and above a dust removal filter as claimed in independent claim 1 as amended. Further, no air-supplying means or electric fan is disclosed in the '365 patent, let alone an air-supplying means supported by the frame.

It is also noted that the plenum 302 of the '365 patent is necessary to its operation. Top plenum 302 provides structure in which to assure that the large pressure drop from bottom plenum 402 to top plenum 302 is contained uniformly such that air exits evenly through air outlets 308. *See* col. 3, ll. 40-45. Thus, the structure of the body 401 is such that the plenums 302, 402 are constructed to create spaced chambers to accomplish the objective of that invention.

For at least the foregoing reasons, independent claim 1 is not anticipated by the '365 patent. Claims 3 and 10 depend directly from and include the limitations of claim 1. Accordingly, because the '365 patent does not teach each and every element of independent claim 1, each and every element of claims 3 and 10 are also not taught. Therefore,

reconsideration and withdrawal of the rejection of claims 1, 3 and 10 are respectfully requested.

Claims 1, 3, 5, 10 and 14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by JP 2002-151571 to Nagate ("JP 571"). In view of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and withdrawal of these rejections.

JP 571 discloses a heater 204, rather than a "dust-removal filter" as suggested in the Office Action. Further, JP 571 discloses heaters 21 in Figs. 5 and 6, rather than "transport casings" as suggested in the Office Action. Although JP 571 does suggest that a blower may be in communication with a conduit 166, it does not disclose where such blower may be located.

Again, in order to support a rejection under Section 102, each and every element of the claimed invention must be found within the four corners of a single document cited by the Examiner to anticipate. Hybritech Inc. v. Monoclonal Antibodies, Inc., 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986). Further, the elements of the claim must be arranged as required by the claim. In re Bond, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990).

JP 571 fails to disclose a dust-removal filter among other limitations. Other limitations not found include a porous member supported on the frame that is located close to and above a dust removal filter as claimed in independent claim 1 as amended. Further, no air-supplying means or electric fan is disclosed in JP 571, let alone an air-supplying means supported by the frame.

For at least the foregoing reasons, independent claim 1 is not anticipated by JP 571. Claims 3, 5, 10 and 14 depend directly from and include the limitations of claim 1. Accordingly, because JP 571 does not teach each and every element of independent claim 1, each and every element of claims 3, 5, 10 and 14 are also not taught. Therefore, reconsideration and withdrawal of the rejection of claims 1, 3, 5, 10 and 14 are respectfully requested.

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by JP 2002-176091 to Suehara et al. ("JP 091"). In view of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and withdrawal of these rejections.

JP 091 discloses substrate conveyance equipment and a method therefor to convey glass via clean air discharged upward from an air float table 30.

As stated above, in order to support a rejection under Section 102, each and every element of the claimed invention must be found within the four corners of a single document cited by the Examiner to anticipate. Hybritech Inc. v. Monoclonal Antibodies, Inc., 231 U.S.P.Q. 81, 90 (Fed. Cir. 1986). Further, the elements of the claim must be arranged as required by the claim. In re Bond, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Additionally, if drawings are to be used as prior art to reject claims they must clearly show the structure claimed and how it is put together irregardless of the whether the feature is unexplained. *See* MPEP §2125.

JP 091 fails to disclose a dust-removal filter as indicated in the Office Action. Additionally, even if the Office Action were to find that JP 091 disclosed a dust-removal filter, it is not indicated that such dust-removal filter would be positioned close to and below a porous member as recited in independent claim 1. Further, the Office Action fails to show an air-supplying support means supported on the frame among other limitations of independent claim 1.

For at least the foregoing reasons, independent claim 1 is not anticipated by JP 091. Claims 2 and 3 depend directly from and include the limitations of claim 1. Accordingly, because JP 091 does not teach each and every element of independent claim 1, each and every element of claims 2 and 3 are also not taught. Therefore, reconsideration and withdrawal of the rejection of claims 1-3 are respectfully requested.

III. 35. U.S.C. § 103 Rejection

Claims 1-3 also stand rejected under 35 U.S.C. § 103(a) as being obvious over JP 091 in view of the '365 patent. In view of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and withdrawal of these rejections.

To establish a *prima facie* case of obviousness, the prior art references must teach or suggest all the claim limitations. *See* MPEP §2143.03. Further, all words in the claim must be considered in judging patentability of the claims. *See id.* Lastly, if an independent claim is nonobvious, then the depending claims therefrom are also nonobvious. *See id.*

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As discussed above, neither JP 091 nor the '365 patent teach each and every claim limitation including the arrangement of those limitations (i.e., all words in the claim).

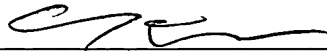
Thus, for at least the foregoing reasons in this section and the previous section, independent claim 1 is not obvious. Claims 2 and 3 depend directly from claim 1 and thus are also not obvious. Reconsideration and withdrawal of the rejection of claims 1-3 are respectfully requested.

IV. Conclusion

For all the foregoing reasons, Applicants respectfully assert that claims 1-3, 5, 10, 14-19 and 21-28 are patentable over the cited prior art and in condition for allowance. Reconsideration and withdrawal of the rejections and allowance of all pending claims 1-3, 5, 10, 14-19 and 21-28 are respectfully requested.

Respectfully submitted,
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